

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI

SUPER 8 MOTELS, INC., a South Dakota Corporation,	:	
	:	
Plaintiff,	:	Case No. 05-5114-CV-SW-DW
v.	:	
	:	PERMANENT INJUNCTION
MOTEL 8/BOONESLICK LODGE, LLC, a Missouri Corporation.	:	BY CONSENT
	:	
Defendant.	:	
	:	
	:	

THIS MATTER having been opened to the Court by way of a Verified Complaint filed by plaintiff Super 8 Motels, Inc. ("SMI"), by its attorneys, Armstrong Teasdale LLP, requests the entry of a permanent injunction against defendant Motel 8/Booneslick Lodge, LLC ("Booneslick"), pursuant to Fed. R. Civ. P. 65(a), to enjoin Booneslick from any further use of the SMI trade names or service marks ("Super 8 Marks"), or the use of names and marks confusingly similar to the Super 8 Marks, and it appearing that the parties hereto have consented to the terms and conditions of the within Order and good cause having been shown:

IT IS on this 14th day of November, 2005,

ORDERED that Booneslick and its employees, agents, members, affiliates, subsidiaries, officers, independent contractors, and all those who act in concert or participation with them, are hereby permanently enjoined and restrained from marketing, promoting or

renting guest lodging facilities at 1602 Industrial Drive, Neosho, Missouri 64850, such that the origin of Booneslick's goods or services are falsely designated as being those of SMI, or designated in a manner that is confusingly similar to those of SMI, and it is further

ORDERED that the injunction described above encompasses, but is not limited to, the use of any and all print or telecommunications advertisements, drafts, labels, signs, flyers, stationery, envelopes, applications, booklets, brochures, catalogues, circulars, pamphlets, periodicals, bulletins, instructions, minutes, other communications, purchase orders, contracts, agreements, options to purchase, deeds, memoranda of agreements, assignments, licenses, books of account, orders, accounts, working papers, plans, internet sites, domain names and/or e-mail and e-mail addresses that display, in any manner, the Super 8 trade names and service marks, any derivation of the Super 8 trade names and service marks, or names and marks confusingly similar to the Super 8 trade names and service marks, and it is further

ORDERED that a copy of this Order shall be served upon defendant by overnight delivery within five (5) days of the date hereof.

/s/ DEAN WHIPPLE

**Judge United States District Court
Western District of Missouri**

We hereby consent to the form and entry of the within Order:

Armstrong Teasdale LLP

By: /s/ Teresa L. Cauwels
Edward R. Spalty
Teresa L. Cauwels
2345 Grand Boulevard, Suite 2000
Kansas City, Missouri 64108-2617
Telephone: (816) 221-3420
Facsimile: (816) 221-0786

By: /s/ Richard Herndon
Richard Herndon

COUNSEL FOR PLAINTIFF
SUPER 8 MOTELS, INC.

COUNSEL FOR DEFENDANT
MOTEL 8/BOONESLICK LODGE, LLC
MOTEL 8/ BOONESLICK LODGE, LLC

By: /s/ Jason Porter
Print Name: Original signature
on file - Jason Porter

Title: